

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LOVELL BELTON,

Plaintiff,

- against -

NOT FOR PUBLICATION

MEMORANDUM & ORDER

19-MC-2485 (PKC) (LB)

KATHERINE ROBERTS (DOE), LORI F.
WHARTON (DOE), THE PONDEROSA
TWINs, and MICHAEL A. WEBB,

Defendants.

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PAMELA K. CHEN, United States District Judge:

On August 31, 2007, Plaintiff was barred from filing any future action in this Court without obtaining leave of Court. *Belton v. Horn*, No. 07-CV-2731 (RJD) (LB) (E.D.N.Y. Sept. 4, 2007) (“[P]laintiff is enjoined from any new *in forma pauperis* action in this Court without obtaining leave of Court”); *see also* 28 U.S.C. § 1651. On September 18, 2019, Plaintiff filed a proposed complaint, along with a motion pursuant to Federal Rule of Civil Procedure 18 and a motion to proceed *in forma pauperis*. (See Dkts. 1–3.) For the reasons set forth *infra*, Plaintiff’s motion for leave to file is denied and this action is dismissed.

Plaintiff’s complaint does not comply with the Court’s bar order. Plaintiff does not provide any valid reason to allow his proposed complaint to proceed. The proposed complaint, alleging “theft of works[,] attempted murder on plaintiff” (Complaint, Dkt. 1, at ECF¹ 5), does not provide any specific allegations and is wholly devoid of merit.

Accordingly, the Court denies Plaintiff’s motion for leave to file the proposed complaint and dismisses this action. Plaintiff’s motion to proceed *in forma pauperis* and his motion pursuant

¹ Citations to “ECF” refer to the pagination generated by the Court’s CM/ECF docketing system and not the document’s internal pagination.

to Federal Rule of Civil Procedure 18 are denied as moot. The Order barring Plaintiff from filing future *in forma pauperis* complaints without leave of the Court remains in effect. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Memorandum and Order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962). The Clerk of Court is directed to close this action.

SO ORDERED.

/s/ Pamela K. Chen

Pamela K. Chen

United States District Judge

Dated: October 3, 2019
Brooklyn, New York